

# Union Calendar No. 450

108TH CONGRESS  
2D SESSION

# H. R. 4453

[Report No. 108-730]

To improve access to physicians in medically underserved areas.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2004

Mr. MORAN of Kansas introduced the following bill; which was referred to the Committee on the Judiciary

OCTOBER 5, 2004

Additional sponsors: Mr. TURNER of Texas, Mr. STENHOLM, Mr. FROST, Ms. JACKSON-LEE of Texas, and Mr. POMEROY

OCTOBER 5, 2004

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

---

## A BILL

To improve access to physicians in medically underserved areas.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Access to Rural Physi-  
3 cians Improvement Act of 2004”.

4 **SEC. 2. WAIVER OF FOREIGN COUNTRY RESIDENCE RE-**  
5 **QUIREMENT WITH RESPECT TO INTER-**  
6 **NATIONAL MEDICAL GRADUATES.**

7 (a) EXTENSION OF DEADLINE.—

8 (1) IN GENERAL.—Section 220(e) of the Immi-  
9 gration and Nationality Technical Corrections Act of  
10 1994 (8 U.S.C. 1182 note) (as amended by section  
11 11018 of Public Law 107–273) is amended by strik-  
12 ing “and before June 1, 2004.” and inserting “and  
13 before the date that is 1 year after the date of the  
14 enactment of the Access to Rural Physicians Im-  
15 provement Act of 2004.”.

16 (2) EFFECTIVE DATES.—

17 (A) IN GENERAL.—Except as provided in  
18 subparagraph (B), the amendment made by  
19 paragraph (1) shall take effect on the date of  
20 the enactment of this Act.

21 (B) SPECIAL EFFECTIVE DATE.—With re-  
22 spect only to aliens admitted to the United  
23 States under section 101(a)(15)(J) of the Im-  
24 migration and Nationality Act (8 U.S.C.  
25 1101(a)(15)(J)), or acquiring status under such  
26 section after admission, during the period be-

1           gining on June 1, 2004, and ending on the  
 2           date of the enactment of this Act, the amend-  
 3           ment made by paragraph (1) shall take effect  
 4           as if this Act were enacted on May 31, 2004.

5       (b) EXEMPTION FROM H1B NUMERICAL LIMITA-  
 6       TIONS.—

7           (1) IN GENERAL.—Section 214(l)(2)(A) of the  
 8       Immigration and Nationality Act (8 U.S.C.  
 9       1184(l)(2)(A) is amended by adding at the end the  
 10      following:

11     “The numerical limitations contained in subsection  
 12     (g)(1)(A) shall not apply to any alien whose status is  
 13     changed under the preceding sentence, if the alien ob-  
 14     tained a waiver of the 2-year foreign residence require-  
 15     ment upon a request by an interested State agency.”.

16           (2) EFFECTIVE DATE.—The amendment made  
 17      by paragraph (1) shall take effect as if this Act were  
 18      enacted on September 30, 2003.

19     **SECTION 1. MODIFICATION OF VISA REQUIREMENTS WITH**  
 20                     **RESPECT TO INTERNATIONAL MEDICAL**  
 21                     **GRADUATES.**

22       (a) EXTENSION OF DEADLINE.—

23           (1) IN GENERAL.—Section 220(c) of the *Immi-*  
 24       *gration and Nationality Technical Corrections Act of*  
 25       *1994 (8 U.S.C. 1182 note) (as amended by section*

1       11018 of Public Law 107–273) is amended by strik-  
 2       ing “2004.” and inserting “2006.”.

3               (2) *EFFECTIVE DATE.*—The amendment made by  
 4       paragraph (1) shall take effect as if enacted on May  
 5       31, 2004.

6       (b) *EXEMPTION FROM H-1B NUMERICAL LIMITA-*  
 7       *TIONS.*—Section 214(l)(2)(A) of the Immigration and Na-  
 8       tionality Act (8 U.S.C. 1184(l)(2)(A)) is amended by add-  
 9       ing at the end the following: “The numerical limitations  
 10      contained in subsection (g)(1)(A) shall not apply to any  
 11      alien whose status is changed under the preceding sentence,  
 12      if the alien obtained a waiver of the 2-year foreign residence  
 13      requirement upon a request by an interested Federal agency  
 14      or an interested State agency.”.

15      (c) *LIMITATION ON MEDICAL PRACTICE AREAS.*—Sec-  
 16      tion 214(l)(1)(D) of the Immigration and Nationality Act  
 17      (8 U.S.C. 1184(l)(1)(D)) is amended by striking “agrees to  
 18      practice medicine” and inserting “agrees to practice pri-  
 19      mary care or specialty medicine”.

20      (d) *EXEMPTION FROM GEOGRAPHIC LIMITATIONS.*—  
 21      Section 214(l)(1)(D) of the Immigration and Nationality  
 22      Act (8 U.S.C. 1184(l)(1)(D)), as amended by subsection (c),  
 23      is further amended—

1           (1) by striking “except that,” and all that follows  
2           through the period at the end and inserting “except  
3           that—”; and

4           (2) by adding at the end the following:

5                   “(i) in the case of a request by the Depart-  
6                   ment of Veterans Affairs, the alien shall not be  
7                   required to practice medicine in a geographic  
8                   area designated by the Secretary; and

9                   “(ii) in the case of a request by an inter-  
10                  ested State agency, the head of such State agency  
11                  determines that the alien is to practice medicine  
12                  under such agreement in a facility that serves  
13                  patients who reside in one or more geographic  
14                  areas so designated by the Secretary of Health  
15                  and Human Services (without regard to whether  
16                  such facility is within such a designated geo-  
17                  graphic area), and the grant of such waiver  
18                  would not cause the number of the waivers  
19                  granted on behalf of aliens for such State for a  
20                  fiscal year (within the limitation described in  
21                  subparagraph (B)) in accordance with the condi-  
22                  tions of this clause to exceed 5.”.

Union Calendar No. 450

108<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**H. R. 4453**

[Report No. 108-730]

**A BILL**

To improve access to physicians in medically underserved areas.

OCTOBER 5, 2004

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed